

Case 1:07-cv-08687-BSJ-THK Document 3 Filed 10/18/2007 Page 1 of 2

U.S. DISTRICT COURT OF THE STATE OF NEW YORK
COUNTY OF SOUTHERN
U.S. UNDERWRITERS INSURANCE COMPANY,

- against -
ABYSSINIAN DEVELOPMENT CORPORATION, A.L. EASTMOND & SONS,
INC., EASTMOND & SONS BOILER REPAIR & WELDING SERVICE,

Petitioner(s)
Plaintiff(s)

Defendant(s)
Respondent(s)

ATTORNEY
RETURN DATE
INDEX NO
INDEX DATE
CALENDAR NO
3rd PARTY INDEX#
JUDGE PAULEY

SOKOLOFF
19237
07 CIV 8687

Maverick Process 516-693-1100

STATE OF NEW YORK: COUNTY OF NASSAU SS: AFFIDAVIT OF SERVICE

THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 10/12/2007 at 12:52 PM at 1175 LEGGETT AVENUE, BRONX, NEW YORK 10474

deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT upon

EASTMOND & SONS BOILER REPAIR & WELDING SERVICE, INC.

☒ Said Documents Were Properly Endorsed with the Index Number and Date of Filing thereon

witness/defendant/respondent (hereafter called the recipient) therein named.

A. Individual By Personally delivering to and leaving with said individual, and that he know the person so served and described as recipient therei

☐

B. Corp/ ☒ By delivering to and leaving with EMIL STRANZL and that he know the person
so served and authorized to accept service to ☐ an officer ☐ Director ☒ managing agent or general agent ☐ cashier ☐ Asst Cashier
Ptnshp ☐ Agent authorized by appointment or by law to receive service.

C. Suitable By delivering therest a true copy of each to a person of suitable age and discretion.
Age Person Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state

☐ By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place
D. Affixing ☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age
to Door, Etc. discretion, therest, having called there
☐ @ @ @
Deponent talked to who stated that recipient ☐ lived ☐ worked there.

E. Mailing On Deponent completed said service under the last two sections by mailing a copy of
W/B,C or the above named process by First Class Mail addressed to the witness/defendant/respondent to the above address of service which
☐ is recipient's: ☐ last known residence ☐ last known place of business (with additional endorsement of Personal and Confidential
on face of envelope.)
☐ RPAPL 735 An additional mailing by Certified Mail was made to the respondent at the premise sought to be recovered.

F. DRL The requirad notice was legibly printed on the face of the summons. I identified the defendant by photograph annexed hereto
Sec232 which was provided by the plaintiff.

G.	SEX	SKIN COLOR	HAIR COLOR	AGE (approx.)	HEIGHT (approx.)	WEIGHT (approx.)
Description	M	WHITE	SALT & PEPPER	55	5'8"	170
<input checked="" type="checkbox"/>	OTHER GLASSES					

Sec.8001Fee A fee of \$0.00 , pursuant to CPLR Section 8001, was tendered to the witness.
☐

Military I asked the person spoken to whether the defendant/respondent was in active military service of the United States or of the
☐ State of New York in any capacity whatever and received a negative repy. Defendant/Respondent wore ordinary civilian
clothers and no military uniform. The source of my information and the grounds of my belief are the conversations and
observations above narrated. Upon information and belief I aver that the defendant/respondent is not in the military service of
New York State or of the United States as the term is defined in either the State or in the Federal statutes.

Sworn Before me this day 15 of
OCTOBER 2007

DONNA L. ODRISCOLL
NOTARY PUBLIC, State of New York
No. 01OD6126123
Qualified in Nassau County
Commission Expires on 4/25/2009

DAVID A SMITH #0912050

STATE OF NEW YORK: COUNTY OF NASSAU SS: AFFIDAVIT OF SERVICE
THE UNDERSIGNED DEPONENT BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION
AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.
That on 10/12/2007 at 12:52 PM at 1175 LEGGETT AVEUE, BRONX, NEW YORK 10474
deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT upon

A.L. EASTMOND & SONS, INC. ☒ Said Documents Were Properly Endorsed with the
Index Number and Date of Filing thereon
witness/defendant/respondent (hereafter called the recipient) therein named.

A. Individual ☐ By Personally delivering to and leaving with said individual, and that he knew the person so served and described as recipient thereof
B. Corp/ ☒ By delivering to and leaving with EMIL STRANZL and that he knew the person
Prtnshp ☐ so served and authorized to accept service to ☐ an officer ☐ Director ☒ managing agent or general agent ☐ cashier ☐ AsstCashier
☐ Agent authorized by appointment or by law to receive service.

C. Suitable Age Person ☐ By delivering thereat a true copy of each to a person of suitable age and discretion.
Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state

D. Affixing to Door, Etc. ☐ By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place
☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age
discretion, thereat, having called there
@ @ @
Deponent talked to who stated that recipient ☐ lived ☐ worked there.

E. Mailing W/B.C or ☐ On Deponent completed said service under the last two sections by mailing a copy of
the above named process by First Class Mail addressed to the witness/defendant/respondent to the above address of service which
is recipient's ☐ last known residence ☐ last known place of business (with additional endorsement of Personal and Confidential
on face of envelope.)
☐ RPAPL 735 An additional mailing by Certified Mail was made to the respondent at the premise sought to be recovered.

F. DRL Sec232 ☐ The required notice was legibly printed on the face of the summons. I identified the defendant by photograph annexed hereto
which was provided by the plaintiff.

G. SEX SKIN COLOR HAIR COLOR AGE (approx.) HEIGHT (approx.) WEIGHT (approx.)
Description M WHITE SALT & PEPPER 55 5'8" 170
☒ OTHER GLASSES

Sec.8001Fee A fee of \$0.00, pursuant to CPLR Section 8001, was tendered to the witness.

Military ☐ I asked the person spoken to whether the defendant/respondent was in active military service of the United States or of the
State of New York in any capacity whatever and received a negative reply. Defendant/Respondent wore ordinary civilian
clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and
observations above narrated. Upon information and belief I aver that the defendant/respondent is not in the military service of
New York State or of the United States as the term is defined in either the State or in the Federal statutes.

Sworn Before me this day 15 of
OCTOBER 2007
DONNA L. ODRISCOLL
NOTARY PUBLIC, State of New York
No. 010D6126123
Qualified in Nassau County
Commission Expires on 4/25/2009
DAVID A SMITH #0912050